

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)
)
Plaintiff,) **ORDER GRANTING MOTION FOR**
) **EARLY TERMINATION OF PROBATION**
vs.)
)
Charles Joseph Folk,) Case No. 1:20-cr-016
)
Defendant.)

On June 29, 2020, Defendant Charles Joseph Folk (“Folk”) pleaded guilty to theft of government property in violation of 18 U.S.C. § 641. This offense is a Class A misdemeanor. (Doc. No. 25). On September 14, 2020, the court sentenced Folk to a term of two years unsupervised probation subject to a number of standard conditions. (Doc. No. 33). Additionally, it ordered Folk to pay a special assessment, fine, and \$5,189.64 in restitution. (Id.)

On March 9, 2021, Folk filed a Motion for Early Termination of Probation. (Doc. No. 35). Early termination of probation is governed by 18 U.S.C. § 3564(c), which provides:

The court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor or an infraction or at any time after the expiration of one year of probation in the case of a felony, if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

18 U.S.C. § 3564(c).

The court finds that Folk’s conduct and the interests of justice warrant early termination of unsupervised probation previously ordered in this case. First, Folk has paid his special assessment, fine, and restitution in full. Second, Folk was successful while on pretrial release during the pendency of this matter and has not re-offended since this matter has concluded. Third, Folk’s

criminal history is negligible. Fourth, the United States has advised that it has no objection to the early termination of Folk's unsupervised probation.

Accordingly, the court **GRANTS** Folk's motion (Doc. No. 35). The remainder of Folk's unsupervised probation is terminated effective immediately and Folk is discharged.

IT IS SO ORDERED.

Dated this 18th day of March, 2021.

/s/ Clare R. Hochhalter
Clare R. Hochhalter, Magistrate Judge
United States District Court